

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
	)	CRIM NO. 04-30021-MAP
)	
	)	<u>VIOLATIONS:</u>
)	
v.	)	21 U.S.C. § 841 - Distribution
	)	of Heroin (Count One)
)	
	)	21 U.S.C. § 841 - Distribution
	)	of Cocaine Base (Count Two)
)	
	)	18 U.S.C. § 2 - Aiding and
	)	Abetting (Counts One and Two)
LUIS H. RAMOS,)	
	)	21 U.S.C. § 853(a) -
Defendant.	)	Forfeiture

INDICTMENT

The Grand Jury charges;

Count One: Title 21, United States Code, Section 841(a)(1),
Distribution of Heroin; Title 18, United States
Code, Section 2, Aiding and Abetting

1. On or about April 9, 2003, in Springfield,
Massachusetts,

LUIS H. RAMOS

defendant herein, did knowingly and intentionally distribute and
possess with intent to distribute a mixture or substance
containing a detectable amount of heroin, a Schedule I controlled
substance.

All in violation of Title 21, United States Code, Section
841(a)(1), and Title 18, United States Code, Section 2.

Count Two: **Title 21, United States Code, Section 841(a)(1),
Distribution of Cocaine Base; Title 18, United
States Code, Section 2, Aiding and Abetting**

1. On or about July 24, 2003, in Springfield,
Massachusetts,

LUIS H. RAMOS

defendant herein, did knowingly and intentionally distribute and
possess with intent to distribute a mixture or substance
containing a detectable amount of cocaine base, a Schedule II
controlled substance;

2. The offense described in Part 1 of Count Two of this
Indictment involved fifty grams or more of a mixture or substance
containing cocaine base. Accordingly, Title 21, United States
Code, Section 841(b)(1)(A)(iii) applies to this case.

All in violation of Title 21, United States Code, Section
841(a)(1), and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATIONS

Title 21, United States Code, Section 853, Criminal Forfeiture

1. The allegations of Counts One and Two of this Indictment are hereby repeated and incorporated herein by reference for the purpose of alleging forfeiture to the United States under Title 21, United States Code, Section 853.

2. Upon conviction on Counts One and Two hereof, the defendant **LUIS H. RAMOS** shall forfeit to the United States (1) any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of said violations, and (2) any of the defendant's property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations, making all such real and/or personal property subject to forfeiture to the United States of America, pursuant to Title 21, United States Code, Section 853(a)(1), (a)(2), and (d).

If any of the property subject to forfeiture to the United States of America pursuant to Title 21, United States Code, Section 853(a), as a result of any act or omission of any of the above-named defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of the

Court;

- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States intends to seek forfeiture of any other property of the defendant, such property being known and unknown to the Grand Jury, up to the value of any property described in the previous paragraphs of this Count, pursuant to Title 21, United States Code, Section 853(p).

All pursuant to Title 21, United States Code, Section 853(a).

A TRUE BILL,



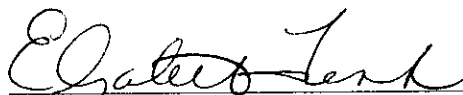
FOREPERSON OF THE GRAND JURY



THOMAS J. O'CONNOR, JR.
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS:

Returned into the District Court by the Grand Jurors and
filed on April 15, 2004. 1:10 pm



DEPUTY CLERK OF THE COURT